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WASHINGTON DC 20037-3213

In re Application of :
Daniel Javitt :
Serial No.: 10/066,657 : SUSPENSION OF ACTION
Filed: February 6, 2002 :
Attorney Docket No.: A8311 :

This is in response to the paper entitled "Request for Suspension of Action" which is being treated as a petition under 37 CFR 1.103, filed January 13, 2006, to suspend prosecution of the above identified application for three months.

Applicants seek suspension of prosecution in this application for a period of three months in view of a new examiner being assigned to the application and desire for an interview.

DISCUSSION

(a) Suspension for cause. On request of the applicant, the Office may grant a suspension of action by the Office under this paragraph for good and sufficient cause. The Office will not suspend action if a reply by applicant to an Office action is outstanding. Any petition for suspension of action under this paragraph must specify a period of suspension not exceeding six months. Any petition for suspension of action under this paragraph must also include:

- (1) A showing of good and sufficient cause for suspension of action; and
- (2) The fee set forth in § 1.17(g), unless such cause is the fault of the Office.

Applicant requests suspension of action in order to conduct a personal interview with a newly assigned examiner. It is noted that an amendment and response to the last Office action was filed concurrently with the petition. Considering that an examiner normally allows some time – a few weeks generally- before taking up an amended application for action applicant's request is not considered a showing of good and sufficient cause. In addition, it is noted that a personal interview was conducted with the examiner on February 22, 2006, making the request for suspension moot.

DECISION

The petition to suspend action is **DISMISSED** as moot.

Should there be any questions with respect to this decision, please contact William R. Dixon, Jr., by mail addressed to: Director, Technology Center 1600, P.O. Box 1450, Alexandria, VA 22313-1450, or by telephone at 571-272-0519 or by facsimile transmission at the general Office facsimile number 571-273-8300.

A handwritten signature in black ink, appearing to read "Bruce M. Kisliuk", with a stylized, flowing script.

Bruce M. Kisliuk
Director, Technology Center 1600